



**AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, SEPTEMBER 13, 2016**

The Planning and Zoning Commission will convene into a Work Session at 6:15 p.m. in the in the City Hall Conference Room at the Municipal Center, 4000 Main Street, Rowlett, at which time the following items will be considered:

- i. Call to Order.
- ii. Discuss items on the regular agenda.
- iii. Adjourn.

The Planning and Zoning Commission will convene into a Regular Meeting at 6:30 p.m. in the City Hall Chambers at the Municipal Center, 4000 Main Street, Rowlett, at which time the following items will be considered:

A. CALL TO ORDER

1. Update Report from Staff.

B. CONSENT AGENDA

1. Consider action to approve the minutes of the Planning and Zoning Commission meeting on August 23, 2016.
2. Consider and take action on a Preliminary Plat for Country Way Addition, located at 3641 and 3661 Elm Grove Road, further described as 17.269 +/- acres in the James Eidson Survey, Abstract No. 437, Dallas County, Texas.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Conduct a public hearing and make a recommendation on a rezoning request from Single Family-40 (SF-40) to a Planned Development (PD) with an underlying Single Family-7 (SF-7) and Limited Commercial (C-1) base zoning. The subject property is located at 6917 Miller Road, further described as being 4.028 +/- acres in the James Hobbs Survey, Abstract #571, City of Rowlett, Dallas County, Texas.
2. Consider and take action on an Alternative Landscape Plan application for El Pollo Loco located at 3101 Lakeview Parkway further described as being Lot 2, Block A, of the Briarwood Armstrong Addition, City of Rowlett, Dallas County, Texas.

D. ADJOURNMENT

NOTE: THE PLANNING AND ZONING COMMISSION MAY RETIRE AND CONVENE INTO EXECUTIVE, CLOSED SESSION ON ANY MATTER RELATED TO ANY OF THE ABOVE AGENDA ITEMS FOR THE PURPOSES OF PRIVATE CONSULTATION WITH THE CITY ATTORNEY UNDER SECTION 551.071 OF THE TEXAS GOVERNMENT CODE.

NOTE: THE CITY OF ROWLETT MEETING ROOMS ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT FOR FURTHER INFORMATION.



Garrett Langford, Principal Planner

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 6:00 P.M., AUGUST 23, 2016**

WORK SESSION

PRESENT: Chairman Michael Lucas, Vice Chairman Jonas Tune, Commissioners Chris Kilgore, James Moseley, Lisa Estevez, Alternates Stephen Ritchey, Kim Clark, Jason Berry

ABSENT: Commissioner Thomas Finney

STAFF PRESENT: Director of Development Services Marc Kurbansade, Principal Planner Garrett Langford, Urban Design Manager Daniel Acevedo, Senior Planner Patricia Gottilly-Roberts, Planner I Katy Goodrich, Development Services Coordinator Lola Isom

i. Call to Order

Chairman Michael Lucas called the Work Session to order at 6:00 p.m.

ii. Discuss items on the regular agenda.

Garrett Langford, Principal Planner, announced that the City of Rowlett received a Certificate of Achievement for Planning Excellence from the Texas Chapter of the American Planning Association (APA) for 2016.

Director of Development Services, Marc Kurbansade, provided detail on Item C.3. regarding the amendments for directional kiosk signage. He explained that the intent of the amendments was to clean up landscape in the rights-of-way. There was discussion amongst the Commission in regards to playful cities, the strategy of the signage, revenue, locations, visibility, state highway signage, and future City Council approval of potential license agreements for the signage.

Urban Design Manager, Daniel Acevedo, briefed the Commission on Item C.2. regarding the rezoning request for 4500 and 4800 Main Street, and 3801 President George Bush Highway. He provided detail on the subject parcels and explained the benefits of rezoning to Urban Village. Mr. Acevedo outlined the Charrette Plan. There was discussion amongst the Commission regarding access, connectivity, and open space.

Mr. Langford explained that Item C.4. was a revised submittal of the previously approved Tree Mitigation Plan for the Evergreen Senior Living facility.

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iii. Adjourn

Chairman Lucas adjourned the Work Session at 6:21 p.m.

REGULAR MEETING

PRESENT: Chairman Michael Lucas, Vice Chairman Jonas Tune, Commissioners Chris Kilgore, James Moseley, Lisa Estevez, Alternates Stephen Ritchey, Jason Berry

ABSENT: Commissioner Thomas Finney, Alternate Kim Clark

STAFF PRESENT: Principal Planner Garrett Langford, Urban Design Manager Daniel Acevedo, Senior Planner Patricia Gottilly-Roberts, Planner I Katy Goodrich, Development Services Coordinator Lola Isom

A. CALL TO ORDER

Chairman Lucas called the Regular Meeting to order at 6:30 p.m.

1. Update Report from Staff.

Garrett Langford, Principal Planner, announced that the City of Rowlett received a Certificate of Achievement for Planning Excellence from the Texas Chapter of the American Planning Association (APA) for 2016.

B. CONSENT AGENDA

- 1. Consider action to approve the minutes of the Planning and Zoning Commission meeting on August 9, 2016.**
- 2. Consider and take action on a Final Plat for the Harmony Hill Addition, located in the northwest quadrant of the City bounded to the northeast by President George Bush Turnpike and to the southwest by Merritt Road, further described as 19.585 +/- acres of land situated in the McKinney & Williams Survey, Abstract No. 1015, City of Rowlett, Dallas County, Texas.**
- 3. Consider and take action on a Preliminary Plat for Canterbury Cove, located at 3399 Chiesa Road, further described as 21.79 +/- acres in the James Hobbs Survey, Abstract No. 571, City of Rowlett, Dallas County, Texas.**

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Commissioner James Moseley made a motion to approve the Consent Agenda. Commissioner Chris Kilgore seconded the motion. The motion passed with a 7-0 vote.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

- 1. Conduct a public hearing and make a recommendation on a request for a Special Use Permit to allow a restaurant with a drive-through at 3101 Lakeview Parkway further described as being Lot 2, Block A, of the Briarwood Armstrong Addition, City of Rowlett, Dallas County, Texas. (SUP136-2016)**

Katy Goodrich, Planner, came forward to present the case. She provided background on the subject property and presented the Site Plan and Concept Plan. She stated that public hearing notifications were sent; none were returned from the 200' notice and one was received in favor from the 500' courtesy notice. Ms. Goodrich said that staff recommends approval of the item.

Chairman Michael Lucas opened the public hearing.

The following speaker came forward:

**Lloyd Lentz
702 N. Thompson, Ste. 137
Conroe, Texas 77301
Consultant**

Mr. Lentz voiced his support of the request.

No additional speakers came forward.

Chairman Michael Lucas closed the public hearing.

Commissioner Chris Kilgore made a motion to recommend approval of the item. Vice Chairman Jonas Tune seconded the motion. The motion passed with a 7-0 vote.

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- 2. Conduct a public hearing and make a recommendation on a rezoning request from Commercial/Retail Highway (C-3) and Park Zoning Districts to the Urban Village Form Based Zoning District (UV-FB). The subject properties are located at 4500 and 4800 Main Street, and 3801 President George Bush Hwy, further described as being 57.61+/- acres in the William Crabtree Survey, Abstract #347, and Lot 1, Block A, Kirby Elevated Tank Addition, City of Rowlett, Dallas County, Texas.**

Mr. Acevedo came forward to present the case. He presented a location map and provided background on the property and the development process. He presented an example of a Framework Plan in the Regional Trade District, presented corresponding guiding principles, displayed the Framework Plan for the subject property, specified potential uses, and presented the Charrette Plan.

He stated that public hearing notifications were sent; three were received in opposition and one in favor within the 200' notification area and one was received in opposition and two were received in favor within the 500' courtesy notification area. Mr. Acevedo said that staff recommends approval.

There was discussion amongst the Commission in regards to the transition from Downtown Rowlett to President George Bush Highway, public realm, and citizen communication.

Chairman Michael Lucas opened the public hearing.

The following speaker came forward:

**Larry Beckham
9313 Willard Street
Rowlett, Texas**

Mr. Beckham voiced his opposition of the request by stating that the community does not want more apartment development and said that he would like for the property to remain under the current zoning of C-3.

No additional speakers came forward.

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Chairman Michael Lucas closed the public hearing.

Commissioner Chris Kilgore provided a detailed summary of his support for the rezoning request which included outlining the importance of attracting quality development, reiterating the need for sustainable development, and stating that the Form Based Code zoning creates stronger communities and better neighbors.

There was discussion amongst the Commission regarding the current C-3 zoning regulation, current Downtown growth and development, “big box” retail, and park preservation.

Commissioner Chris Kilgore made a motion to recommend approval of the rezoning request. Commissioner Lisa Estevez seconded the motion. The motion passed with a 6-1 vote. Alternate Jason Berry voted in opposition.

3. Conduct a public hearing and make a recommendation on amendments to Sections 77-512 and 77-1100 of Rowlett Development Code as it pertains to Directional Kiosk Signage.

Mr. Langford provided a brief presentation that displayed the currently allowed directional kiosk signs and the proposed directional kiosk signage.

Chairman Michael Lucas opened the public hearing.

No speakers came forward.

Chairman Michael Lucas closed the public hearing.

Commissioner James Moseley made a motion to recommend approval of the item. Commissioner Chris Kilgore seconded the motion. The motion passed with a 7-0 vote.

4. Consider and make a recommendation to City Council regarding a tree mitigation plan and related tree removal permit application for more than three trees associated with Evergreen Senior Living. The subject property is located at 5611 Old Rowlett Road, further described Lot 1, Block 1, Evergreen at Rowlett Addition, City of Rowlett, Dallas County, Texas.

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Mr. Langford came forward to present the case, provided detail on the revised Tree Mitigation Plan request for the subject property, and stated that staff recommends approval.

Vice Chairman Jonas Tune made a motion to recommend approval of the item. Commissioner Lisa Estevez seconded the motion. The motion passed with a 7-0 vote.

D. ADJOURNMENT

Chairman Michael Lucas adjourned the meeting at 7:17 p.m.

Chairman

Secretary



City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 09/13/2016

AGENDA ITEM: B2

AGENDA LOCATION:

Consent Agenda

TITLE

Consider and take action on a Preliminary Plat for Country Way Addition, located at 3641 and 3661 Elm Grove Road, further described as 17.269 +/- acres in the James Eidson Survey, Abstract No. 437, Dallas County, Texas.

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

The Preliminary Plat (Attachment 1) is one of the first steps in the development process and provides an overview of the utility and street layout for the site in its entirety. In the future, the final plat associated with this site will be required to be in conformance with the approved preliminary plat. In the case of Country Way Addition, the project is being platted for a 16-lot single family residential development.

BACKGROUND INFORMATION

The subject property is located north of Elm Grove Road (Attachment 2 – Location Map) within the City's Extraterritorial Jurisdiction (ETJ). The ETJ is the unincorporated area beyond the City's municipal boundary where the City has limited authority to regulate land development. Texas state law does not allow cities to enact zoning regulations within their ETJ; however, cities may regulate the subdivision of land within its ETJ by enforcing subdivision requirements through the platting process. The subdivision regulations are located in Section 77-600 of the Rowlett Development Code (RDC). Section 77-602.A states that subdivision regulations shall be applicable to all subdivision and re-subdivision of land within the City of Rowlett and its ETJ. While the City cannot regulate land use, the number or size of the lots within the ETJ, it can ensure that the infrastructure of the proposed subdivision is built to city's engineering specifications.

City staff has reviewed the proposed preliminary plat to ensure compliance with the City's subdivision regulations in Section 77-600. Subsequently to approval of the preliminary plat, the applicant will be required to obtain approval of civil engineering plans and a Final Plat, prior to receiving a building permit. The Final Plat will be brought before the Commission for consideration and approval.

DISCUSSION

Section 77-806.C.2(d)(1) of the Rowlett Development Code (RDC) states,

“Approval of a preliminary plat shall be deemed an expression of approval of the layouts submitted on the preliminary plat as a guide for the future installation of streets, water, sewer, and other required improvements and utilities and as a guide to the preparation of the final plat. Except as provided for in this section, approval of the preliminary plat shall constitute conditional approval of the final plat when all conditions of approval noted as provided in this section have been met.”

It is important to note that Section 77-806.C.2(d)(2) of the RDC additionally states,

“No construction work shall begin on the proposed improvements in the proposed subdivision prior to approval of the final plat by the planning and zoning commission and the construction plans by the director of public works and/or director of utilities. The subdivider, at its sole and exclusive risk, may undertake certain ground excavations for grading and drainage purposes, install underground utilities, and install drainage, if the proper permits and approvals for such works are issued by the director of public works.”

Section 77-806.C.6 of the RDC further states,

“The Planning and Zoning Commission may approve a preliminary or final plat only if it finds that the plat:

- (a) Conforms to Chapter 77-600, Subdivision and land development, and any regulations adopted pursuant to that chapter;
- (b) Promotes the public health, safety and welfare;
- (c) Provides for the proper arrangement of streets in relation to existing or proposed streets;
- (d) Provides for the efficient movement of vehicular and pedestrian traffic;
- (e) Ensures adequate and properly placed utilities;
- (f) Provides access for firefighting apparatus as determined by the fire marshal;
- (g) Provides light and air and avoids congestion;
- (h) Facilitates the orderly and efficient layout and use of the land; and
- (i) Furthers the goals and policies of the comprehensive plan and the city council.”

City Staff from the Planning and Engineering Divisions as well as the Fire Marshal’s Office have reviewed the Preliminary Plat for compliance with the applicable regulations in the RDC. Based on the fact that this request meets the requirements set forth in the RDC, staff recommends approval of this request.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends approval of the Preliminary Plat.

ATTACHMENTS

Attachment 1 – Preliminary Plat

Attachment 2 – Location Map

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS **Unlimited Group LP** is the owner of a tract of land situated in the State of Texas and the County of Dallas, being part of the James Eidson Survey, Abstract No. 437, and being all of a called 11.0160 acre tract and all of a called 6.2533 acre tract as recorded under Document No. 201500285040 of the Deed Records of Dallas County, Texas with said premises being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod capped "TXHS" found for corner in the northeast right-of-way line of Elm Grove Road (Variable Width Right-of-Way) marking the west corner of called a acre tract of land conveyed to Guy D. Parker by deed recorded in Document No. 201400046512 of the Deed Records of Dallas County, Texas and the south corner of said 11.0160 acre tract;

THENCE with said northeast right-of-way line and the southwest line of said 11.0160 acre tract as follows:

North 45°22'32" West, 55.23 feet to a 1/2 inch iron rod capped "TXHS" found for corner,

North 56°55'32" West, 100.00 feet to a 1/2 inch iron rod capped "TXHS" found for corner, and

North 45°22'32" West, 170.02 feet to a 1/2 inch iron rod found for corner in the southeast line of said 6.2533 acre tract and marking the west corner of said 11.0160 acre tract;

THENCE with the southeast line of said 6.2533 acre tract, South 58°10'32" West, 19.58 feet to a point for corner marking the south corner of said 6.2533 acre tract;

THENCE with the southwest line of said 6.2533 acre tract, North 44°35'19" West, 159.49 feet to a point for corner marking the west corner of said 6.2533 acre tract, from which a 1/2 inch iron rod capped "5693" found for reference marking the south corner of a called 4.93 acre tract conveyed to Noel B. Conley and Joyce A. Conley by deed recorded in Document No. 200600359012 of the Deed Records of Dallas County, Texas bears North 54°23'41" East, 17.25 feet;

THENCE with the southeast line of said 4.93 acre tract and the northwest line of said 6.2533 acre tract, North 54°23'41" East, 1343.00 feet to a point for corner in the southwest line of a called 6.12 acre tract conveyed to David M. Jones and Cynthia A. Jones by deed recorded in Volume 2001099, Page 5545 of the Deed Records of Dallas County, Texas and marking the east corner of said 4.93 acre tract and the north corner of said 6.2533 acre tract, from which a 1/2 inch iron rod found for reference bears North 54°23'41" East, 0.51 feet;

THENCE with the southwest line of said 6.12 acre tract, the southwest line of a called 6.12 acre tract conveyed to Dollie Geneva Donald, James L. Donald, Betty Jo Martin and Roy D. Martin by deed recorded in Volume 77056, Page 825 of the Deed Records of Dallas County, Texas, the southwest line of Tract 2 of the Enclave at Liberty Grove, an addition to Dallas County, Texas, according to the plat thereof recorded in Document No. 20070263357 of the Plat Records of Dallas County, Texas, the northeast line of said 6.2533 acre tract and the northeast line of said 11.0160 acre tract, South 45°40'09" East, 671.44 feet to a 1/2 inch iron rod found for corner marking the north corner of a tract of land conveyed to James M. Smith by deed recorded in Volume 71150, Page 1171 of the Deed Records of Dallas County, Texas and the east corner of said 11.0160 acre tract;

THENCE with the northwest line of said Smith tract, the northwest line of a tract of land conveyed to Stacey E. Smith by deed recorded in Volume 2000206, Page 3503 of the Deed Records of Dallas County, Texas, the northwest line of a called 1.916 acre tract conveyed to Raymond E. Rogers and Catherine E. Rogers by deed recorded in Document No. 200600345618 of the Deed Records of Dallas County, Texas, the northwest line of a called 2.019 acre tract conveyed to James H. Husted by deed recorded in Volume 95213, Page 15 of the Deed Records of Dallas County, Texas, the northwest line of a called 2.40 acre tract conveyed to Finley R. Morris by deed recorded in Volume 2004040, Page 13209 of the Deed Records of Dallas County, Texas, the northwest line of aforesaid Parker tract and the southeast line of said 11.0160 acre tract, South 62°20'16" West, 1354.30 feet to the Point of Beginning and containing 752,252 square feet or 17.269 acres of land, more or less.

Curve Table

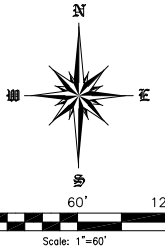
CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	275.00'	10°41'58"	51.35'	N57°08'06"E	51.26'
C2	475.00'	18°33'45"	156.65'	N61°13'59"E	155.94'
C3	275.00'	6°10'35"	29.64'	N67°35'34"E	29.63'
C4	525.00'	24°03'37"	220.46'	N52°28'29"E	218.85'
C5	275.00'	32°15'30"	154.83'	N56°34'25"E	152.79'
C6	20.00'	6°54'50"	19.47'	S79°24'24"E	18.71'
C7	50.00'	2°29'36"03"	244.00'	N11°19'01"W	64.55'
C8	20.00'	45°23'02"	15.84'	S51°34'29"W	15.43'
C9	325.00'	33°49'19"	191.85'	S57°21'20"W	189.08'
C10	475.00'	24°03'37"	199.47'	S52°28'29"W	198.00'
C11	225.00'	6°10'35"	24.25'	S67°35'34"W	24.24'
C12	525.00'	18°33'45"	173.14'	S61°13'59"W	172.36'
C13	225.00'	10°41'58"	42.02'	S57°08'06"W	41.96'
C14	207.50'	21°24'41"	77.54'	S45°39'42"E	77.09'
C15	192.50'	22°52'53"	76.88'	N46°23'48"W	76.37'
C16	192.50'	15°34'22"	52.32'	S43°12'32"E	52.16'
C17	137.50'	32°05'21"	77.01'	S51°28'02"E	76.01'
C18	151.00'	31°29'44"	83.00'	S63°33'50"E	81.96'
C19	19.00'	71°38'57"	23.76'	S63°29'13"E	22.24'
C20	61.00'	71°38'57"	76.28'	N63°29'13"W	71.41'
C21	109.00'	32°41'29"	62.19'	N62°57'57"W	61.35'
C22	122.50'	31°40'18"	67.72'	N51°15'30"W	66.86'

Line Table

LINE	BEARING	DISTANCE
L1	N62°29'05"E	36.65'
L2	S62°29'05"W	62.15'
L3	N43°12'11"E	23.75'
L4	N56°11'09"E	86.96'
L5	S56°11'17"W	103.48'
L6	S43°12'09"W	21.33'
L7	S35°25'21"E	27.85'
L8	S19°05'15"W	13.52'
L9	N80°41'18"E	27.56'
L10	S27°39'45"E	7.61'
L11	N27°39'45"W	7.61'
L12	S80°41'18"W	27.56'
L13	S19°05'03"W	13.53'
L16	N08°33'16"E	11.75'

Legend

- DRDCT Deed Records Dallas County Texas
- PRDCT Plat Records Dallas County Texas
- CDEF Capped Iron Rod Found
- RF Iron Rod Found
- CM Controlling Monument
- Water Valve
- PP Power Pole
- STS Stop Sign
- HD Headwall
- UHI Utility Hand Hole Box
- EFSD East Fork Special Utility District
- OH Overhead Lines
- WF Wire Fence
- PF Pipe Fence



SURVEYOR'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF COLLIN §

KNOW ALL MEN BY THESE PRESENTS:

That I, Michael Cuzzo, do hereby certify, that I prepared this plat from an actual on the ground survey of the land as described and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Rowlett Planning and Zoning Commission.

Michael Cuzzo
R.P.L.S. No. 5693

ACKNOWLEDGEMENT

STATE OF TEXAS §
COUNTY OF COLLIN §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared **Michael Cuzzo**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ____ day of _____, 2016.

Notary Public in and for
The State of Texas

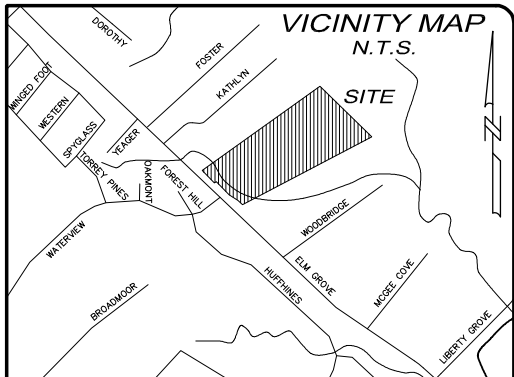
"Preliminary Plat - For Inspection Purposes Only."
"Approved for Preparation of Final Plat"

Chairman, City of Rowlett Date
Planning and Zoning Commission

Director of Development Services Date

Owner:
Unlimited Group LP
3101 Century Drive, Suite 101
Rowlett, Tx 75086
(972) 463-4372
Attn: John Irvine

Surveyor:
Roome Land Surveying
2000 Avenue G, Suite 810
Piano, Tx 75074
(972) 423-4372
Attn: Michael Cuzzo



Country Way Addition

Preliminary Plat

Lots 1-16, Block A

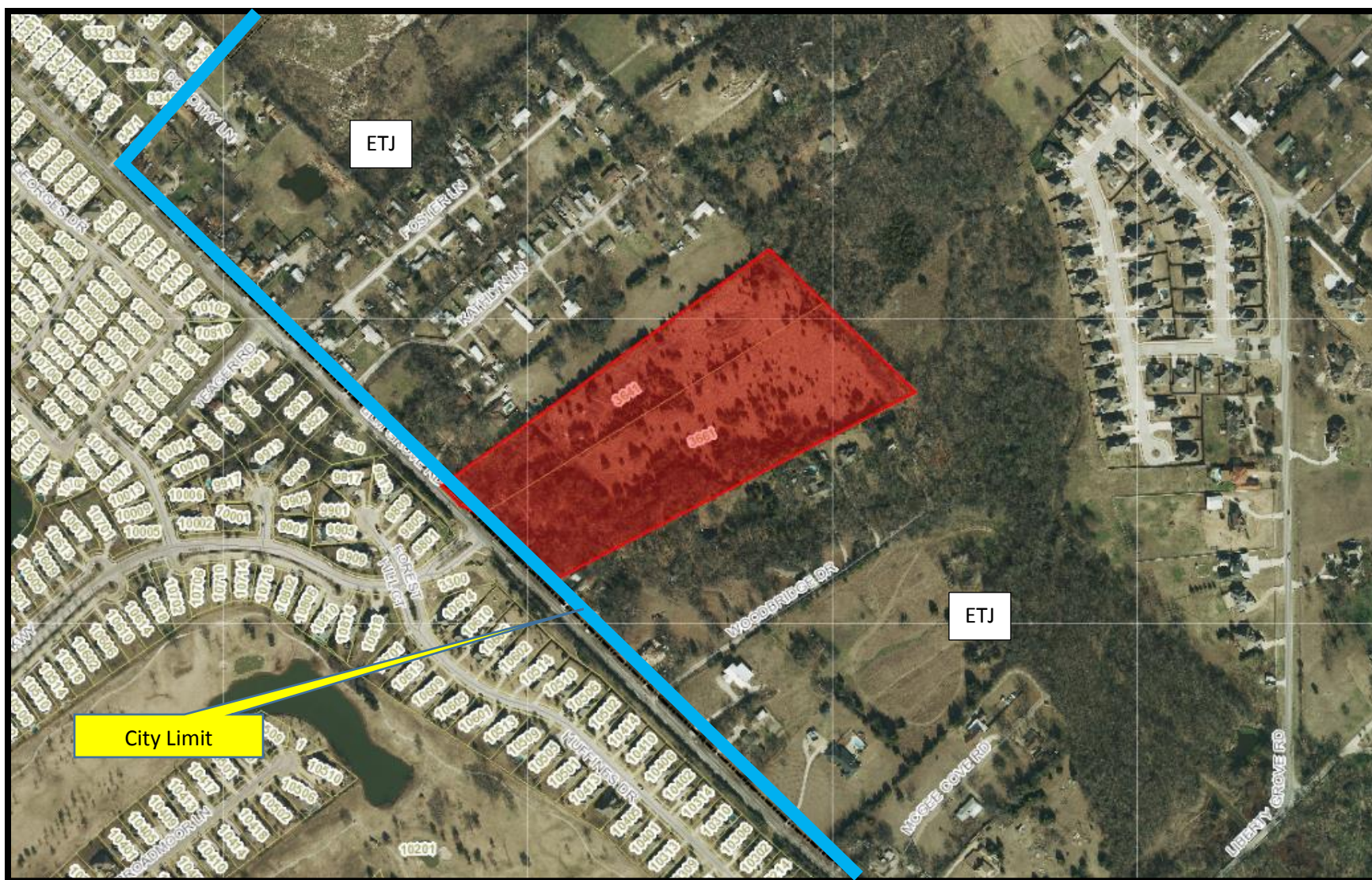
James Eidson Survey, Abstract No. 437

Dallas County, Texas

April 13, 2016

Date	Comments
08/31/2016	Revised per City comments
****	*****

Roome Land Surveying, Inc.
TRPLS Firm No. 10013100
2000 Avenue G, Suite 810
Piano, Texas 75074
Phone (972) 423-4372 / Fax (972) 423-7523
www.roomesurveying.com





City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

AGENDA DATE: 9/13/2016

AGENDA ITEM: C1

AGENDA LOCATION:

Individual Consideration

TITLE

Conduct a public hearing and make a recommendation on a rezoning request from Single Family-40 (SF-40) to a Planned Development (PD) with an underlying Single Family-7 (SF-7) and Commercial-1 (C-1) base zoning. The subject property is located at 6917 Miller Road, further described as being 4.028 +/- acres in the James Hobbs Survey, Abstract #571, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Daniel Acevedo, Urban Design Manager

SUMMARY

The applicant is requesting to rezone the subject property (Attachment 1 – Location Map) to a Planned Development (PD) with an underlying Single Family-7 (SF-7) and Commercial-1 (C-1) base zoning for the purposes of building a mixed use development, including 12 residential lots for single family houses and one lot for a retail business.

BACKGROUND INFORMATION

Over the past few years, the applicant, Dave Holl, through Kayak Instruction Foundation Inc. has operated a successful kayaking program at Paddlepoint Park. Since 2013, Mr. Holl has used 6809 Miller Road, which is located to south of Miller Road across from the subject property as an office and as a storage facility for his kayaks. In 2014, Mr. Hull acquired the subject property at 6917 Miller with the hope of expanding his kayak operation north of Miller Road. The December 26, 2015, tornado destroyed the existing homes at 6809 Miller Road and 6917 Miller Road. Mr. Holl is now moving forward to rebuild the homes that were destroyed and to expand his kayaking operation closer to Lake Ray Hubbard by opening a kayak shop at 6917 Miller Road. Mr. Holl has obtained a building permit to rebuild his house at 6809 Miller Road which will eventually also include an oversized detached garage (approved by PD Ordinance 010-13) to store his kayaks until the subject property is developed.

Over the past several months, the applicant met with city staff on multiple occasions regarding his efforts to redevelop his properties. Mr. Holl would like to redevelop the subject property by pursuing a PD (Attachment 2 – Statement of Intent) that will allow a mixed use development that would create 12 single family lots and to open a kayak shop as shown on Attachment 3 – Concept Plan. The proposed single family lots and commercial lot will follow the requirements as outline in the Development Standards (Attachment 4) and as shown on the Concept Plan.

Any standard not listed in the proposed PD will follow the requirements of the underlying zoning districts which is Single Family 7 (SF-7) for the residential lots and Limited Commercial (C-1) for the commercial lot.

The subject property is currently zoned Single Family-40 (SF-40), and is located in the Active Living (E-5) Sub-District, identified in the Realize Rowlett 2020 Comprehensive Plan (Attachment 5 – Active Living Sub-District). When the plan was initially adopted in 2011, it was understood that the City would take an active role in rezoning several of the priority opportunity areas. This was accomplished through the adoption of the Form Based Code (FBC) and subsequent rezoning of Downtown, Signature Gateway, Healthy Living, Woodside Living and the Northshore districts. It was determined that the remaining opportunity areas, including Active Living, would be addressed as development opportunities arose.

While the approach to rezoning in the opportunity areas typically involves a FBC district, the subject property does not meet the minimum size requirements to be considered as a standalone FBC district/neighborhood. Therefore, the next step to furthering the vision for this area is to establish the appropriate base zoning district through a PD, which attempts to address the guiding principles of Active Living. While FBC zoning is not possible at this time, the applicant went out of his way to incorporate the connectivity, trails and open space requirements from the FBC. The applicant had design workshops with city staff to make sure that any adjacent developments under the FBC would work well with the proposed PD.

The main objective outlined for the Active Living Sub-District is to allow for commercial and retail activity along Miller and adjacent to Lake Ray Hubbard. It is the applicant's desire to meet these goals by pursuing a mixed use development that will adhere to the guiding principles outlined for that district. If approved, the applicant will then be required to submit and receive approval of a preliminary plat, detailed development plans, final plat, civil engineering plans, and building plans all prior to building on the site.

DISCUSSION

Section 77-805 of the *RDC* states that the Planning and Zoning Commission shall consider the following when making a recommendation on rezoning requests. Staff's commentary is in bold italics beneath each criterion.

1. Whether the proposed rezoning corrects an error or meets the challenge of some changing condition, trend, or fact;

The proposed rezoning addresses a changing condition and fact(s) in that the current SF-40 zoning district no longer meets the intent for the area as outlined in the City's Comprehensive Plan. Although the request does not involve rezoning to a FBC district, it does further the vision outlined in the Realize Rowlett 2020 Comprehensive Plan. The proposed PD incorporates connectivity, trails and open space, along with allowing a business that is related to recreational activity on Lake Ray Hubbard.

2. Whether the proposed rezoning is consistent with the comprehensive plan and the purposes of this code stated in subchapter 77-103, Purpose of this Code;

The subject property is located in the Active Living Sub-District, where the intent is to provide adjacency and access to recreational resources on the lake. One key aspect is that water sports are envisioned to be a major component and asset in the district. By adopting the proposed PD for the subject property, this will allow a wider range of uses, facilitate a more active district on the lake front, and ensure a more seamless transition with the adjacent properties.

The PD will ensure that future development will meet the portion of the Guiding Principles that apply to this site as outlined in the Realize Rowlett 2020 Comprehensive Plan. Listed below are the Guiding Principles specifically identified for the Active Living Sub-District that will be reinforced with the proposed rezoning:

- ***Guiding Principle #1: Value existing neighborhoods***
- ***Guiding Principle #3: Make Rowlett a community that is attractive to people at all stages of their lives.***
- ***Guiding Principle #4: Invest in places of lasting value and distinctive character.***
- ***Guiding Principle #5: Maximize the benefits of major public infrastructure investments (existing, planned)***
- ***Guiding Principle # 6: Use Lake Ray Hubbard and Rowlett's natural assets to create a distinctive identity.***
- ***Guiding Principle #7: Diversify mobility options within the City and connect activity areas***
- ***Guiding Principle #9: Balance growth through efficient development patterns.***
- ***Guiding Principle #11: Position Rowlett for an appropriate scale of investment and reinvestment supported by market trends.***

3. Whether the proposed rezoning will protect or enhance the health, safety, morals, or general welfare of the public;

Staff does not anticipate the proposed rezoning to negatively impact the health, safety, morals, or general welfare of the public. If approved, the proposed development will be required to comply with all applicable development standards in the RDC including drainage, traffic, and utility requirements.

4. Whether the municipality and other service providers will be able to provide sufficient transportation and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development;

Staff has reviewed the proposed rezoning from the standpoint of providing sufficient transportation access and utilities (e.g., water, sanitary sewer, stormwater drainage). Prior to the approval of the Development Plan, Staff will ensure adequate capacity for utilities is provided as required by City ordinances.

5. Whether the proposed rezoning is likely to have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation;

The proposed PD, has made sure that the natural features are utilized as an asset not only for the proposed development, but for the larger community. The intent of Active Living is to enhance the site's natural conditions by way of capitalizing on the lake. The applicant is tying into the park and trail system as shown on the concept plan, which is publically accessible to the adjacent community and provides an attractive natural transition to the Lake. Furthermore, staff believes that the kayak business enhances the health and general welfare of the public by providing a recreational sport that utilizes, highlights, and enhances Lake Ray Hubbard's natural beauty.

6. Whether the proposed rezoning will have significant adverse impacts on other property in the vicinity of the subject tract;

Staff does not anticipate that the proposed rezoning will have significant adverse impacts on other properties in the vicinity. As indicated previously, the applicant has worked to provide a street network and open space that is accessible to the land on the north and east side. The design of any proposed development on those tracts will be seamlessly integrated into the current layout.

7. The suitability of the subject property for the existing zoning classification and proposed zoning classification;

It is Staff's opinion that the proposed zoning is more suitable for the subject property than the current zoning as it was envisioned by the Realize Rowlett 2020 Comprehensive Plan. As mentioned earlier, while a FBC district is typically applied in the Opportunity areas, this tract is too small for stand-alone zoning to the FBC. The applicant has worked to provide for the major concerns regarding open space, trails, connectivity and lot orientation that allows staff to support this zoning as the most appropriate for this parcel of land.

8. Whether there is determined to be an excessive proliferation of the use or similar uses;

It is staff's view that the proposed rezoning will not result in an excessive proliferation of a particular type; rather it will diversify the product offered in this area.

9. Whether the proposed rezoning will ensure that future uses on the subject tract will be compatible in scale with uses on other properties in the vicinity of the subject tract; and;

It is staff's view that the proposed rezoning will ensure that future uses on the tract will be compatible in scale with uses adjacent to this property. Should a FBC district be introduced on the adjacent property, there are additional restrictions built into the FBC to provide the appropriate scaled transition in limiting building height adjacent to single family residential development.

10. The supply of land in the economically relevant area that is in the use district to be applied by the rezoning or in similar use districts, in relation to the demand for that land.

It is staff's opinion that there is adequate demand to support the higher density zoning as proposed, since the applicant has expressed great interest in developing this site. As outlined in the Realize Rowlett 2020 Comprehensive Plan, this area is intended to create connections to the lakefront and facilitate for people with a desire to capitalize on a more active lifestyle on the lake. Through the kayak business, adjacency to Paddle Point Park, and the trail that provides connectivity along the lake, this proposal meets the intent of the Guiding Principles outlined in Active Living.

In summary, the proposed PD consists of a 4-acre development to be governed under the City's RDC and is consistent with the vision set forth in the Realize Rowlett 2020 Comprehensive Plan. It is staff's opinion that the proposed rezoning meets the above criteria for a rezoning and recommends approval of that request. By utilizing the Guiding Principles and the vision outlined in the Comprehensive Plan this neighborhood design emphasizes the following:

- Open spaces
- Adjacency to Lake Ray Hubbard
- Trail network
- Variety of building types
- Pedestrian facilities
- Consistency with the Active Living District

It is important to note that in order to generate this PD, staff has worked closely with the applicant, through the Charrette design process to ensure that the connectivity and open space would be provided for in a manner that is consistent and compatible with the adjacent land. Based on the analysis above, staff believes that the rezoning of this property is in harmony with the City's overall vision set forth in the Comprehensive Plan for the Active Living Sub-District.

Public Hearing Notices:

Notice of this public hearing was mailed, posted, and published in accordance with State Law and the Rowlett Development Code. Seventeen 200ft notices and twenty-eight courtesy 500ft

notices were mailed on August 29, 2016, and as of Friday, September 9, 2016, Staff has received the following:

- 200 ft. notification area: Two in favor; one in opposition
- 500 ft. courtesy notification area: No responses

These responses are included as Attachment 6.

FISCAL IMPACT

N/A

RECOMMENDED ACTION

Staff recommends approval.

ATTACHMENTS

Attachment 1 – Location Map

Attachment 2 – Statement of Intent

Attachment 3 – Concept Plan

Attachment 4 – Development Standards

Attachment 5 – Active Living (E-5) District

Attachment 6 – Public Hearing Notices

200' Notification Area

Subject Property

MILLER

GAROAN

CHARDONWAY

BURGUNDY

GLEN HILL

HILLCREST

CHIESA

MARLIN

BAYVIEW

BAYHILL

LEEWARD



EXHIBIT C – STATEMENT OF INTENT AND PURPOSES [revised]

Project uses:

Tract 1: The only uses allowed in this tract are:

Single family detached residential

Community Commons [recreational and support uses]

Private streets, drives, access easements and fire lanes

Tract 2: The only uses allowed in this tract are:

Retail [may have attached residential as a second story use, this use may not exceed 2,000 square feet]

Training school [kayak and aquatics classes and outside programs, this use may be used within the confines of the retail or warehousing use, and no additional parking is required]

Warehousing [only as an accessory use to retail, the size of the accessory warehousing is not limited to a percentage of the retail use, but may not be a stand-alone structure and may not exceed 4,000 square feet]

Private streets, drives, access easements and fire lanes

Existing and proposed zoning and land use:

Existing zoning: SF 40

Proposed zoning: Planned development district for single family residential and non-residential mixed use. Tract I is single family detached with a generally SF-7 underlying standards, except that lot sizes and house sizes are as shown on the Concept Plan and the Zoning Exhibit. Tract II is mixed use with retail, educational and warehousing with a general C-1 underlying zoning. Tract III is limited to the uses described in Tract 3 above and does not require landscaping or other design features.

Current land use: Vacant

Proposed land use: A mixed use development with single family detached dwellings, community commons, retail and warehousing/storage uses, and the potential for second level attached dwellings

Proposed residential density: Six dwelling units per acre

Approval criteria:

The proposed rezoning satisfies the Comprehensive Plan future land use recommendation for an active living community and is consistent with the purposes of the Code as stated in subchapter 77-103.

The proposed zoning protects and enhances the health, safety, morals and general welfare of the public.

The municipality has confirmed that it will be able to provide sufficient transportation and utility facilities and services to the proposed community while maintaining sufficient levels of service to existing development.

The proposed development is located on land that is generally open. The proposed zoning will not have an adverse impact on the environment.

The proposed development will not have an adverse impact on property in the vicinity, rather will improve opportunities to capitalize on existing city resources [Paddle Point Park].

The property could support as many as four single family dwelling units under its current zoning. The proposed zoning increases the land utilization and suitability from four single family dwelling units to twelve single family dwelling units and provides opportunities for retail, attached residential and training and education for aquatics and kayak usage.

There are no other uses similar to the proposed zoning district around the subject property.

The proposed uses are consistent with the direction of the comprehensive plan and the proposed zoning district will be compatible with other future uses to be located in the area.

There are no other uses in the area that provide the environment that the proposed rezoning will provide.



Michael R. COKER Company

 1111 Capital Street, Suite 100
 Dallas, Texas 75202
 (214) 442-1000
 www.mrcoker.com

 6917 MILLER ROAD
 City of Rowlett
 Dallas County, Texas

 B.J. Macdonald
 7-14-16
NOTES:
 TRACTS 1 & 2: 4,028 ACRES
 TOTAL ACRES: 4,028 ACRES

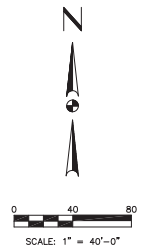
 EXISTING ZONING: SF-40
 PROPOSED ZONING: PLANNED DEVELOPMENT

- NO PORTION OF THIS PROPERTY LIES WITHIN A 100-YEAR FLOODPLAIN ACCORDING TO FIRM MAP NO. 48443C0245K, REVISED JULY 7, 2014.
- THE DEVELOPMENT OF THE SITE WILL BE IN ACCORDANCE WITH CITY OF ROWLETT DEVELOPMENT STANDARDS.
- THIS IS NOT A PHASED DEVELOPMENT.
- EASEMENTS ARE AS SHOWN ON HOLL DEVELOPMENT PRELIMINARY PLAT.
- DEVIATIONS FROM CURRENT DEVELOPMENT STANDARDS/REGULATIONS NOT SPECIFICALLY ADDRESSED/LISTED FOR APPROVAL AS PART OF PLANNED DEVELOPMENT REGULATIONS MAY REQUIRE A HEARING/APPROVAL BY THE BOARD OF ADJUSTMENT (BOA).
- ALL CURRENT DEVELOPMENT REQUIREMENTS OF THE CITY AS AMENDED SHALL BE MET UNLESS APPROVED OTHERWISE WITHIN THESE PLANNED DEVELOPMENT ZONING DISTRICT DEVELOPMENT REGULATIONS.
- THIS ZONING CONCEPT PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY AND SUBJECT TO CHANGE. THIS ZONING CONCEPT PLAN, ALONG WITH DEVELOPMENT REGULATIONS, IS INTENDED TO DESCRIBE THE INTENT OF THE PLANNED DEVELOPMENT. SIGNIFICANT DEVIATIONS FROM THIS ZONING CONCEPT PLAN, AS DETERMINED BY THE DIRECTOR OF PLANNING, WILL REQUIRE AN AMENDMENT TO THE ZONING CONCEPT PLAN AND, AS NECESSARY, THE DEVELOPMENT REGULATIONS.

TRACT I - RESIDENTIAL
 LOTS 1-4
 Minimum House Size = 2,500 SF
 Lot 1: Approx. 13,647 SF
 Lot 2: Approx. 13,558 SF
 Lot 3: Approx. 9,053 SF
 Lot 4: Approx. 6,865 SF

 LOTS 5-12
 Minimum House Size = 1,800 SF
 No Side Yard Setback
 Lot 5: Approx. 3,868 SF
 Lot 6: Approx. 6,744 SF
 Lot 7: Approx. 6,808 SF
 Lot 8: Approx. 6,812 SF
 Lot 9: Approx. 6,822 SF
 Lot 10: Approx. 7,076 SF
 Lot 11: Approx. 8,025 SF
 Lot 12: Approx. 7,977 SF
TRACT II - RETAIL

*Retail structure not to exceed 2,000 s.f. for retail and 4,000 s.f. for storage and warehouse.


 PROPERTY OWNER/APPLICANT:
 Holl Revocable Living Trust, David Holl
 8410 Seabird Lane
 Rowlett, Texas 75089
 972-127-6991

 REPRESENTATIVE/AGENT:
 Michael R. Coker Company, Michael Coker
 3111 Canton Street, Suite 140
 Dallas, Texas 75226
 214-421-4100

 SURVEYOR:
 Madeline Surveying & Mapping, Inc.
 P.O. Box 2109
 Forney, Texas 75126
 972-664-4416

 ENGINEER:
 Dougherty & Associates, Inc.
 P.O. Box 1336
 Rockwall, Texas 75087
 972-714-0004

EXHIBIT E
ZONING CONCEPT PLAN

 PROJECT NAME: KAYAK CROSSING
 TRACTS: 21 AND 21.1
 ABSTRACT: JAMES HOBBS ABSTRACT NO. 0571
 COUNTY: DALLAS COUNTY
 SUBMISSION DATE: JULY 15, 2016
 ISSUE/REVISIONS:

NO.	DATE	DESCRIPTION
1	08/22/2016	ISSUE
2	09/08/2016	REVISIONS
3	09/09/2016	REVISIONS

 Filenote:
 Coker Co Project: 21002
 This map and the matter shown is the property of Michael R. Coker Company. The reproduction, storage, or use of the map without the written consent of Michael R. Coker Company is prohibited and may result in legal action. © Michael R. Coker Company 2016-2017. Michael R. Coker Company

LEGAL DESCRIPTION
TRACT A & B

BEING a tract of land situated in the J. Hobbs Survey, Abstract No. 571, in Dallas County, Texas, being all of Tract A and Tract B to David Covel Roll, Revocable Living Trust created in Instrument Number 20140028871 of the Official Public Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at 5/8 inch iron rod with cap stamped "HUITT" found for the southwest corner of said Tract B, also lying on the north line of North line of Miller Road a called 80' right-of-way with the northeast line of a called 0.60 acre tract conveyed to the City of Dallas (Dart) for Railroad right-of-way;

THENCE North 41 degrees 15 minutes 52 seconds West, along the southwest line of said Tract B and the northeast line of said line of said 0.60 acre tract, a distance of 344.76 feet to a 5/8 inch iron rod with cap stamped "HUITT" found for an angle point in said Tract B, also lying on the east line of the City of Dallas Take Line for Lake Ray Hubbard;

THENCE North 09 degrees 33 minutes 44 seconds East, along the west line of said tract B and the east line of said Take Line, a distance of 160.96 feet to a 5/8 inch iron rod with cap stamped "CBG" found for the northwest corner of said Tract B;

THENCE North 89 degrees 16 minutes 26 seconds East, along the north line of said Tract B, a distance of 314.73 feet to a 5/8 inch iron rod found for the northeast corner of same;

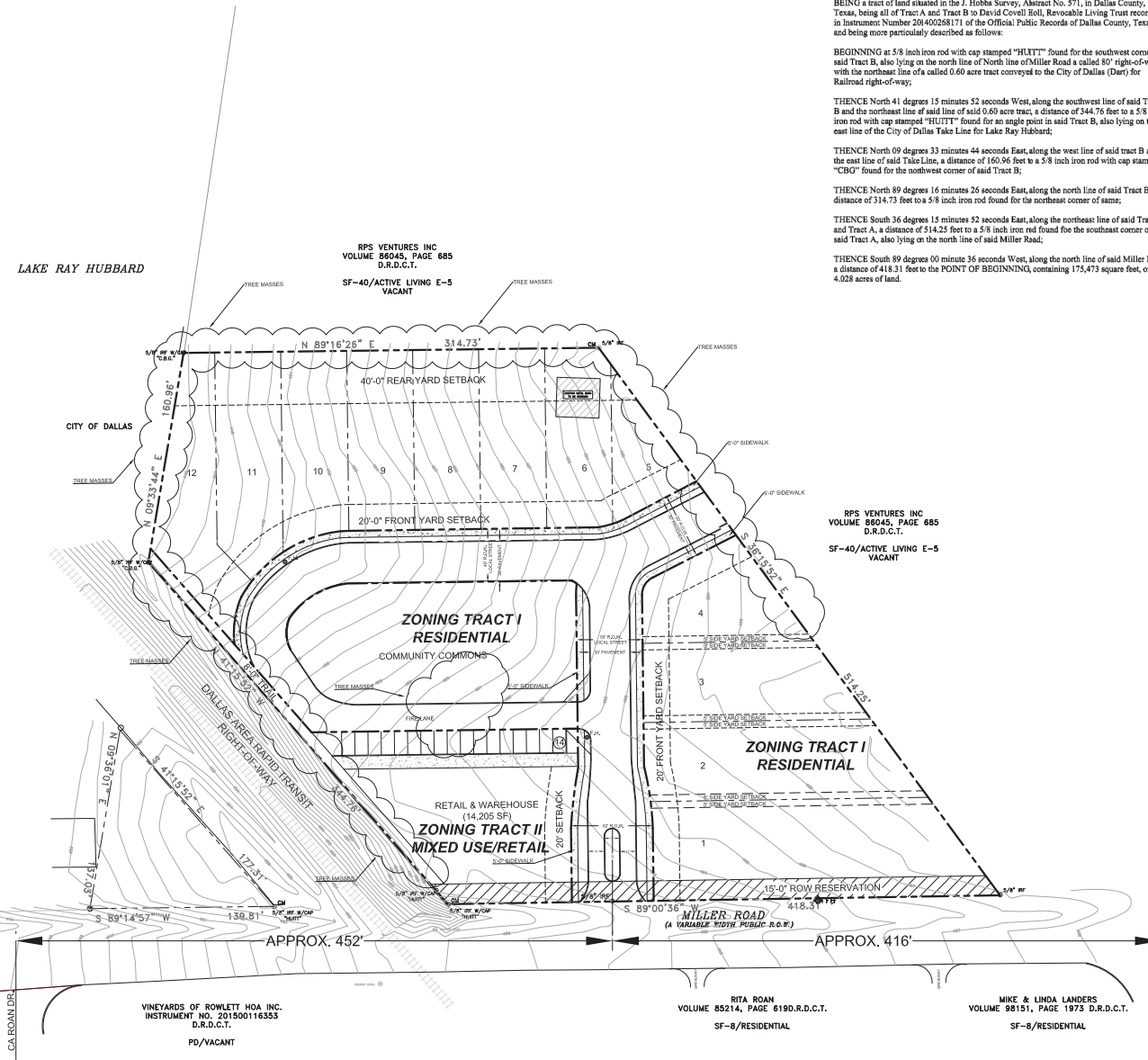
THENCE South 36 degrees 15 minutes 52 seconds East, along the northeast line of said Tract B and Tract A, a distance of 514.25 feet to a 5/8 inch iron rod found for the southeast corner of said Tract A, also lying on the north line of said Miller Road;

THENCE South 89 degrees 00 minute 36 seconds West, along the north line of said Miller Road, a distance of 411.31 feet to the POINT OF BEGINNING, containing 175,473 square feet, or 4.028 acres of land.

 RPS VENTURES INC
 VOLUME 86045, PAGE 685
 D.R.D.C.T.
 SF-40/ACTIVE LIVING E-5
 VACANT

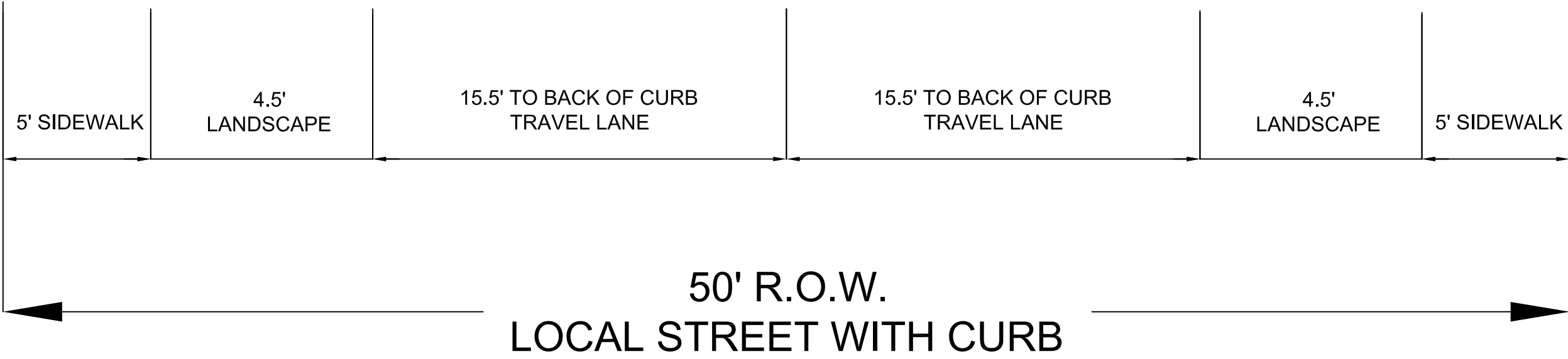
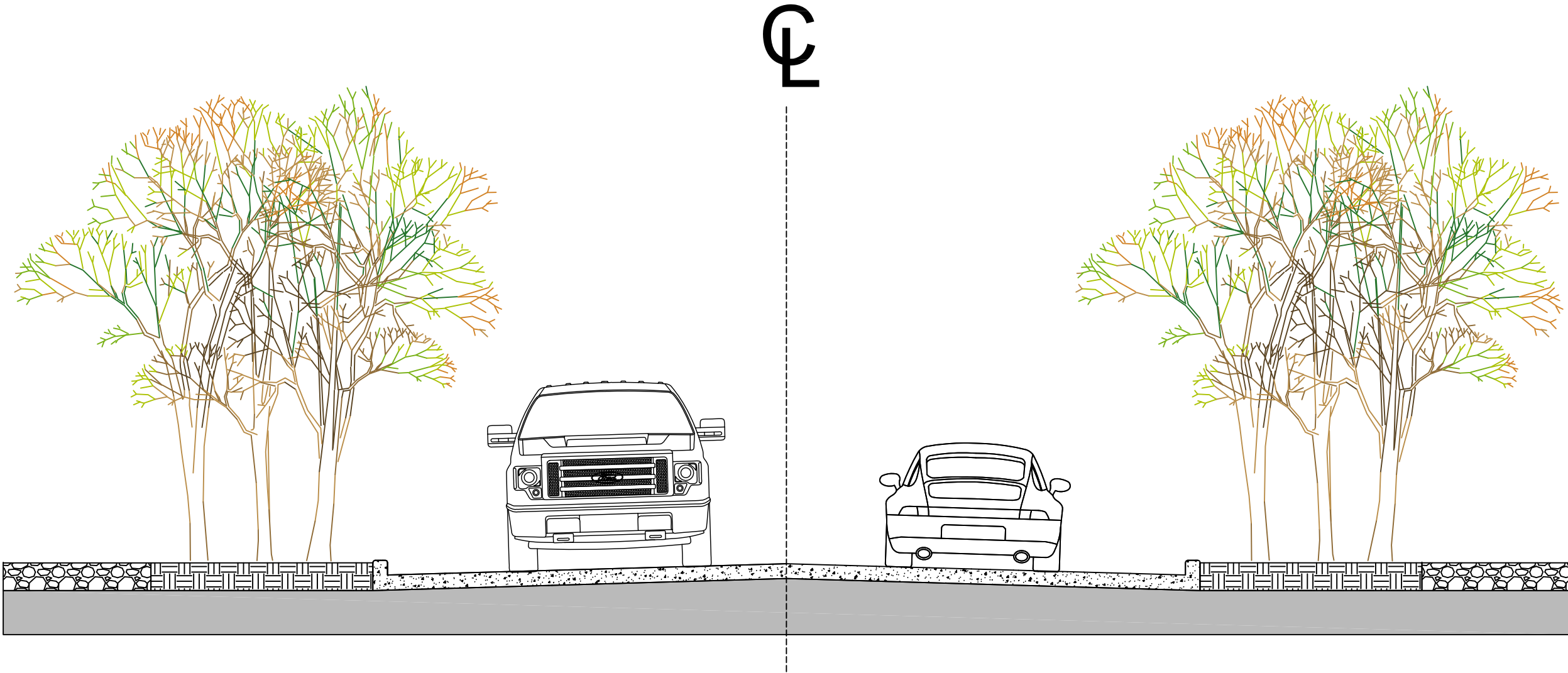
 RITA ROAN
 VOLUME 85214, PAGE 6190.D.R.D.C.T.
 SF-8/RESIDENTIAL
 MIKE & LINDA LANDERS
 VOLUME 98151, PAGE 1973 D.R.D.C.T.
 SF-8/RESIDENTIAL

LAKE RAY HUBBARD



GLEN HILL DR.

 LOCATION MAP
 NTS



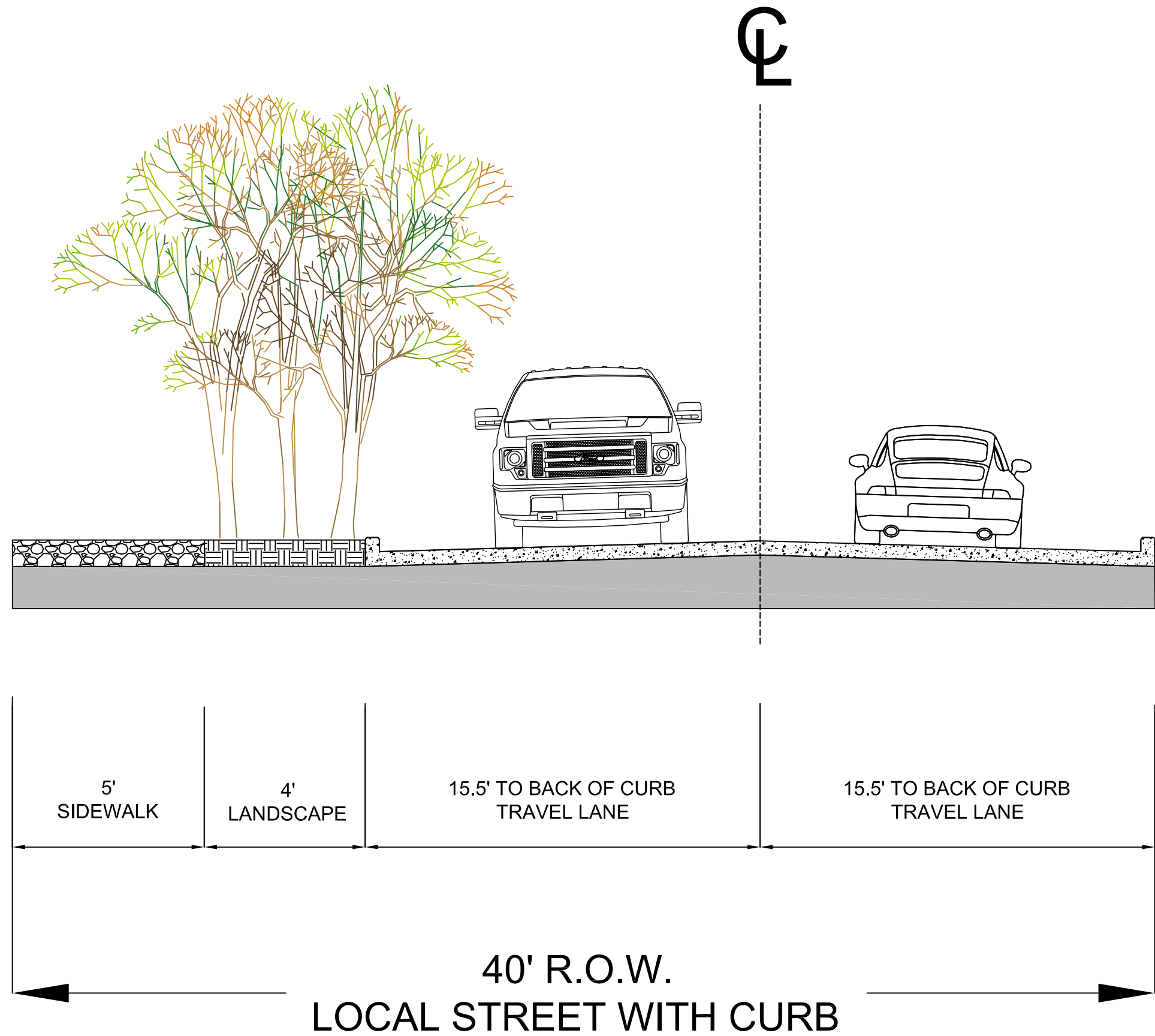


EXHIBIT D- PLANNED DEVELOPMENT STANDARDS [revised]

Development in this planned development district shall be in accordance with Exhibits B and E. Amendments to Exhibits B and E shall be submitted to the Planning Department for review and approval. This is a traditional Planned Development District, not a form-based zoning district.

TRACT 1: Lot sizes and minimum dwelling unit sizes are on Exhibit B.

Lots 1 – 4:

Front yard setback is 20 feet

Side yard setback is six [6] feet

Rear yard setback is 10 feet

Lots 5 - 12

Front yard setback is 20 feet

Side yard setback is five [5] feet

Rear yard setback is 40 feet

Parking Residential: Single family detached dwelling units shall have two off-street covered parking spaces per dwelling unit. Guest parking for lots 5 - 12 shall be provided along both sides of the 20-foot fire lane immediately south of the cottages.

Residential lot coverage shall not exceed 60 percent.

TRACT 2: Setbacks for non-residential uses:

20 feet from Miller Road right of way

20 feet from local street

10 feet from the fire lane and access easement [a 10-foot-wide sidewalk shall be installed in this setback as shown on Exhibits B and E].

23 feet from the Dallas Area Transit Authority right of way

Non-residential lot coverage shall not exceed 90 percent

Non-residential FAR shall not exceed 1.0

Height in this district shall not exceed 45 feet and/or three [3] stories.

Exterior construction shall be of masonry or brick and shall cover 80 percent of the exterior of any building except for fenestration.

Retail structure not to exceed 2,000 square feet for retail and 4,000 square feet for storage and warehousing.

Parking Non-residential: Non-residential parking shall be provided as shown on the Exhibits B and E.

ACTIVE LIVING | AREA E-5



DEVELOPABLE ACRES: * **69**

PRODUCT TYPES:

- Waterfront Commercial
- Limited Entertainment Uses
- Mixed-Use
- Low to Moderate Density Residential
- Passive Public Spaces

SUPPORTABLE PSYCHOGRAPHICS

- Pools & Patios
- Beltway Boomers

** Net floodplain and parcels less likely to redevelop in the near-term (five to 10 years).*

VISION

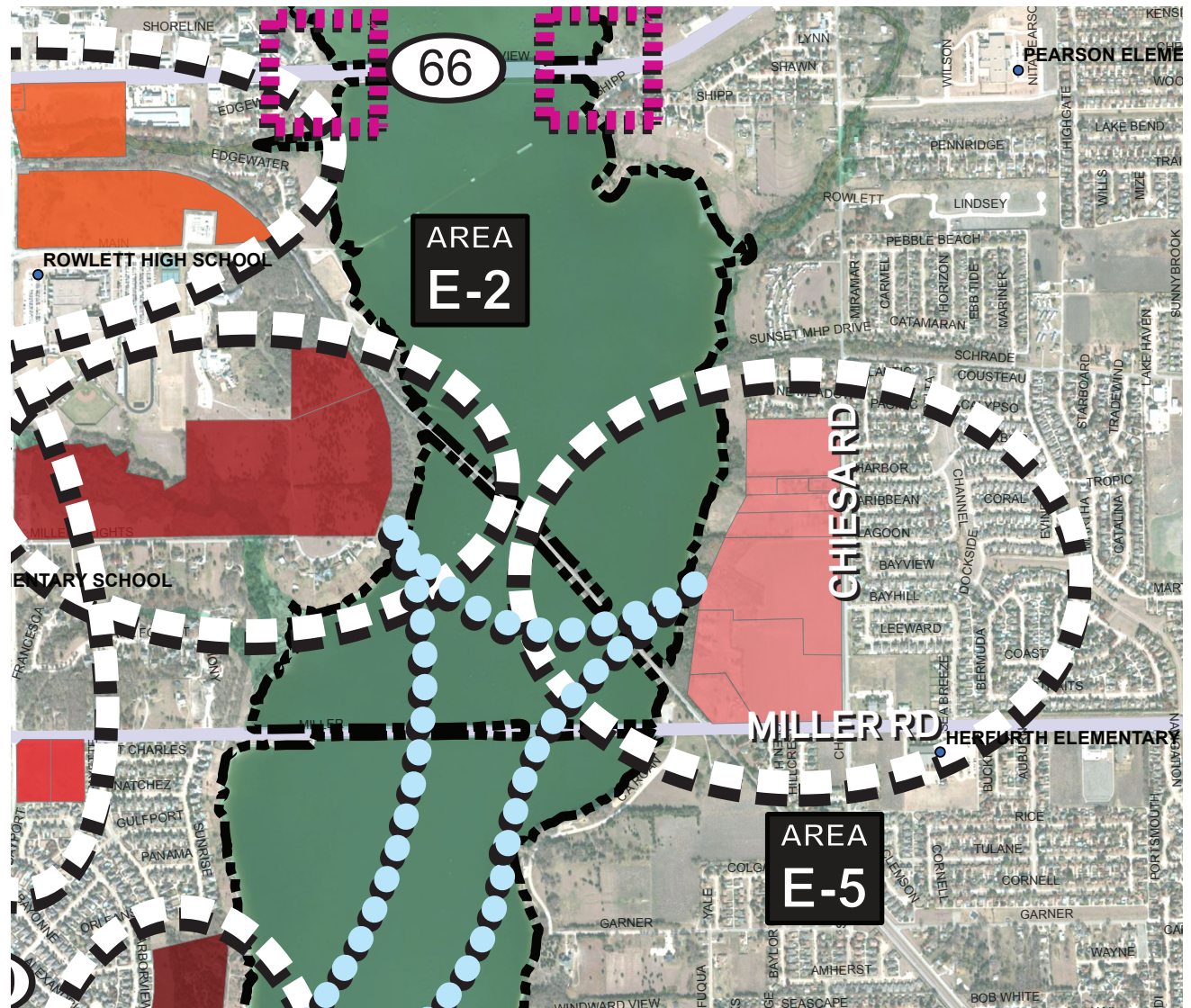
This area will be the neighborhood of choice for active young people and families that love the outdoors and that are avid water sports participants. Like Woodside Living, this unique enclave within the City will offer yet one more choice for residents of the community seeking access to area recreational resources – natural and man-made with supportive commercial spaces. Young professionals and families will be drawn here because of the range of housing choices at accessible rates and the strong emphasis on access to water sports. Given its proximity to established single-family neighborhoods, residential product types within Active Living will transition in density with the lowest on its edge at a scale compatible with surrounding uses and product types. Like Lakeside Center, waterfront space will be set aside for limited commercial / entertainment venues accessible via multiple forms of transportation including boats. Despite the variety of product types likely to develop, all will appear unified in character and quality.

Essential elements that will have to be in place in order for this investment scenario to be realized include: appropriate signage and greater visibility for commercial uses; and roadway improvements.



MARKET

- Individuals choosing home ownership in this location will desire single-family attached ownership products with access to commercial offerings in a natural setting. The presence of regional infrastructure (DART and PGBT) will serve as an attractor for executives employed in other locations within the Metroplex.
- A growing number of Rowlett and Trade Area residents are aging in place (10.8% 55+ in 2000, 16.4% in 2010, 20.3% in 2015.) Lifestyle choices and needs will dictate alternative living options with lower maintenance housing products accessible to existing and planned public and natural recreational offerings. Whereas many will desire product offerings in Lakeside Living because of the access to wooded and water amenities and proximity to the hospital and other services, others will desire Active Living because of its proximity to transportation and enhanced access.



ACTIVE LIVING | AREA E-5

GUIDING PRINCIPLES



	GUIDING PRINCIPLE	E-5 ACTIVE LIVING
1	Value existing neighborhoods	**
2	Grow the City's economy through diversification of job and business opportunities	
3	Make Rowlett a community that is attractive to people at all stages of their lives	****
4	Invest in places of lasting value and distinctive character	****
5	Maximize the benefits of major public infrastructure investments (existing, planned)	***
6	Use Lake Ray Hubbard and Rowlett's natural assets to create a distinctive identity...	****
7	Diversify mobility options within the City and connect activity areas	*
8	Create centers with a mix of activities at key locations in Rowlett	
9	Balance growth through efficient development patterns	***
10	Support quality educational resources to meet the needs of Rowlett residents...	
11	Position Rowlett for an appropriate scale of investment and reinvestment...	***
12	Fund public investment that leverages desired private investment	
13	Ensure that <i>Realize Rowlett 2020</i> is a statement of the City's policy for future...	
	<i>Bold principles relate to citywide concerns and are not specific to any individual geographic area</i>	
	<i>Key:</i>	
	<i>Strongest Support of Principle</i>	****
	<i>Moderate Support of Principle</i>	***
	<i>Some Support of Principle</i>	**
	<i>Incidental Support of Principle</i>	*

IMPLICATIONS

Physical	Large greenfield site with visibility from Chiesa and Miller Roads, as well as Lake Ray Hubbard.
	Significant frontage on Lake Ray Hubbard offers views from many parcels within the area.
Infrastructure	Utilities are currently in place to support the level and types of development envisioned.
Access	Access will be provided along Miller and Chiesa Roads. Both roads will need substantial improvements (major public investment potential) to support the levels of development envisioned. Coordination will need to occur with the City of Dallas on some portions of Miller Road.
	Opportunity exists for private boats and water taxis to access the area, as well as connect it to other areas.
	Public improvements could include docks for watercraft that link this area to other areas on the Lake.
Market	Development in this area will continue the existing low-density single-family pattern of development located to the east, while also capitalizing on its water amenity to the west.
Financial	The City's role in this area will likely be limited whereas improvements will likely be led by the private sector.
	Public pathways (bicycle, pedestrian and golf cart) may need to be acquired and set aside to ensure this amenity for businesses and residents.
Regulatory	Current zoning will need to be modified in order to accommodate the uses envisioned.
	The potential for increased traffic in this area with heightened access to the waterfront may warrant consideration of a parking district.

ACTIVE LIVING | AREA E-5

IMPLEMENTATION

IMPLEMENTATION STRATEGIES (ACTIONS)	TIMING
<i>The specific strategy (action) to be taken</i>	<i>Priority, short, medium, long-term, future or on-going</i>
Promote development of this area as an “active living” neighborhood.	Short - to Mid-Term
Prepare development guidelines to control quality / consistency of development, and to assure compatible development adjacent to surrounding neighborhoods and Lake Ray Hubbard.	Short - to Mid-Term
Prepare an urban design framework that identifies transition zones to surrounding uses and other details which will be addressed in a future plat (submitted by the developer).	Short- to Mid-Term
Explore impacts on Miller Road from additional development in this area.	Short - to Mid-Term
Complete a school capacity analysis in order to understand if the proposed program for this area will negatively impact district facility plans.	Short - to Mid-Term



**Development Services
Department/Planning Division**

NOTICE OF PUBLIC HEARING

09-07-16A11:14 RCVD

TO: Property Owner
RE: Application for a Zoning Change
LOCATION: The subject property is located at 6917 Miller Road, further described as being 4.01+/- acres in the James Hobbs Survey, Abstract #571, City of Rowlett, Dallas County, Texas. A location map depicting a 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

EXPLANATION OF REQUEST: The applicant requests a rezoning from Single Family-40 (SF-40) to a Planned Development (PD) with an underlying Single Family-7 (SF-7) and Commercial-1 (C-1) base zoning for the purposes of building a mixed use development, including 12 residential lots for single family houses and one lot for a retail business.

- ☒ I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
☐ I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

See attached letter

SIGNATURE:

[Signature] **STEPHEN L. SALIN**

ADDRESS:

PART 1401 Pacific Ave Dallas TX 75202

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 13th day of September 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 18th day of October 2016. The Planning and Zoning Commission and City Council hearings will be held at the Municipal Center located at 4000 Main Street, Rowlett, Texas.

Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded. The protest must be received by the Planning Division by 5 pm on Wednesday, September 7th to be included in the Planning and Zoning Commission packet and Wednesday, September 28th to be included in the City Council packet. The protest shall object to the rezoning, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property.

If you have any questions concerning this request, please contact the Planning Division
 Phone 972-463-3904
 FAX 972-412-6228
 dacevedo@rowlett.com

RETURN by Mail
 City of Rowlett Planning Division
 3901 Main Street
 Rowlett, TX 75088



**Development Services
Department/Planning Division**

09-07-16P02:24 RCVD

NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application for a Zoning Change

LOCATION: The subject property is located at 6917 Miller Road, further described as being 4.01+/- acres in the James Hobbs Survey, Abstract #571, City of Rowlett, Dallas County, Texas. A location map depicting a 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

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☐ I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:

☒ I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

Business to close to our Residence. Destruction of view.

SIGNATURE:

ADDRESS:

[Signature]
3202 Glen Hill Dr Rowlett TX 75088

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 13th day of September 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 18th day of October 2016. The Planning and Zoning Commission and City Council hearings will be held at the Municipal Center located at 4000 Main Street, Rowlett, Texas.

Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded. The protest must be received by the Planning Division by 5 pm on Wednesday, September 7th to be included in the Planning and Zoning Commission packet and Wednesday, September 28th to be included in the City Council packet. The protest shall object to the rezoning, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property.

If you have any questions concerning this request, please contact the Planning Division
Phone 972-463-3904
FAX 972-412-6228
dacevedo@rowlett.com

RETURN by Mail
City of Rowlett Planning Division
3901 Main Street
Rowlett, TX 75088



**Development Services
Department/Planning Division**

NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application for a Zoning Change

LOCATION: The subject property is located at 6917 Miller Road, further described as being 4.01+/- acres in the James Hobbs Survey, Abstract #571, City of Rowlett, Dallas County, Texas. A location map depicting a 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

EXPLANATION OF REQUEST: The applicant requests a rezoning from Single Family-40 (SF-40) to a Planned Development (PD) with an underlying Single Family-7 (SF-7) and Commercial-1 (C-1) base zoning for the purposes of building a mixed use development, including 12 residential lots for single family houses and one lot for a retail business.

- ☒ I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- ☐ I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

- It is time to get it done for zoning change

COMMENTS:

SIGNATURE:

P.R. Rand

ADDRESS:

2416 Versailles Drive, Rowlett 75082

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 13th day of September 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 18th day of October 2016. The Planning and Zoning Commission and City Council hearings will be held at the Municipal Center located at 4000 Main Street, Rowlett, Texas.

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City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 9/13/2016

AGENDA ITEM: C2

AGENDA LOCATION:

Individual Consideration

TITLE

Consider and take action on an Alternative Landscape Plan application for El Pollo Loco located at 3101 Lakeview Parkway further described as being Lot 2, Block A, of the Briarwood Armstrong Addition, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Katy Goodrich, MPA, Planner I

SUMMARY

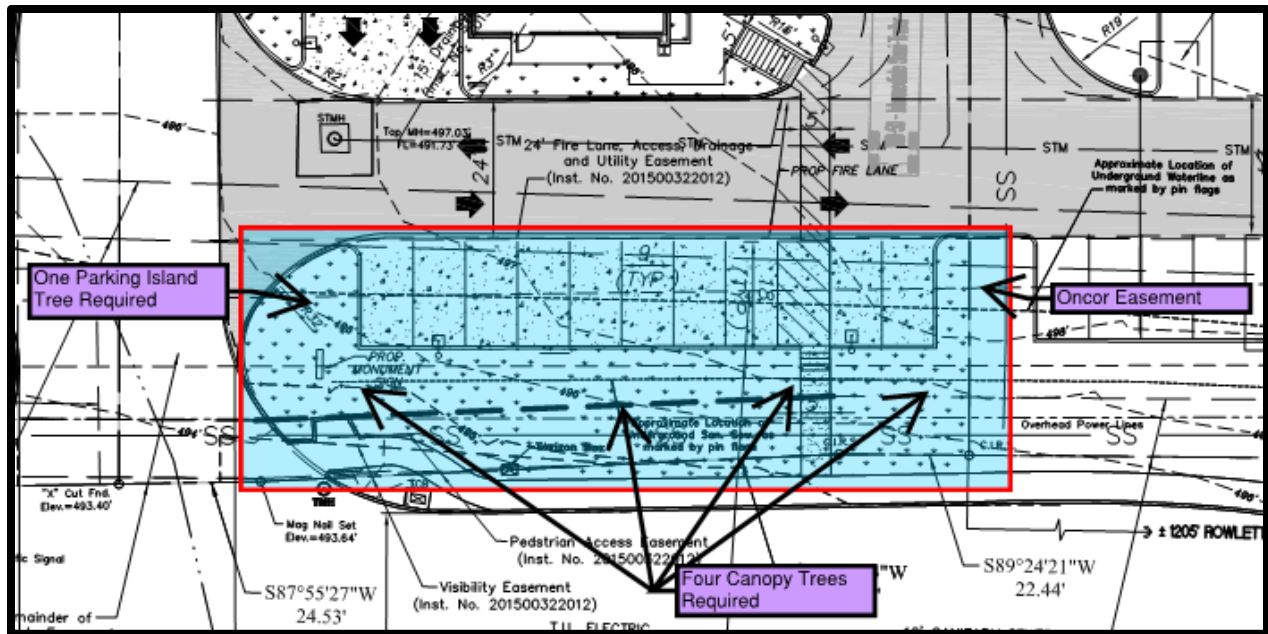
The applicant is requesting an Alternative Landscape Plan (ALP) in order to relocate five canopy trees in the side yard. This request is for the proposed El Pollo Loco development located on Lot 2 of the Briarwood Armstrong Addition (Attachment 1).

BACKGROUND INFORMATION

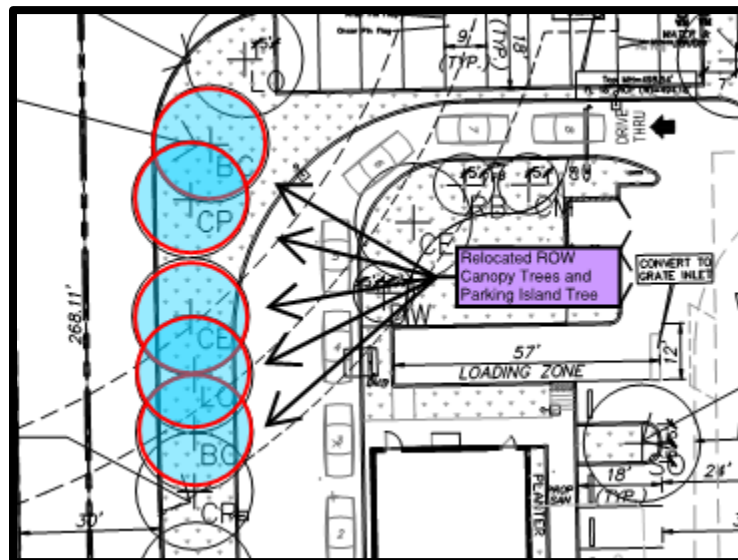
The subject property is zoned General Commercial/Retail (C-2) and is located at 3101 Lakeview Parkway fronting on the north side of Lakeview Parkway. The proposed development consists of a 2,660 square-foot building that will be occupied by a restaurant with a drive-through. The subject property is 0.859 acres in size with 122.57 feet of frontage along Lakeview Parkway. Due to the size of the development plan, the plans are eligible for administrative approval. However, the applicant is requesting modifications to the requirements of the City's landscaping provisions by relocating required trees in the side yard. The Rowlett Development Code (RDC) allows for approval of an ALP by the Planning and Zoning Commission, provided the subject property is less than one gross acre and the total right-of-way frontage is less than 250 feet.

During the review of the Development Plan, Oncor informed the developer that they would not allow the any vegetation above five feet in height within their easement located along the frontage of the subject property. Oncor's easement is located in the same area that the RDC requires four canopy trees in the right-of-way landscape buffer and one parking island tree. See image below.

[Remainder of the page intentionally blank]



City Council adopted an amendment to the RDC on July 7, 2015, to allow administrative approval for relocation of required landscaping due to a utility easement as long as it is within the same yard (front, side(s), or rear) of the required location. The applicant was not able to identify locations for the required trees in front of the building due the existing Oncor easement. The applicant is proposing to plant six canopy trees on the West side of the site (Attachment 3). See the image below.



DISCUSSION

Section 77-504.I.4 of the RDC outlines approval criteria of ALPs. Staff recommends that the Planning and Zoning Commission consider the request based on these approval criteria as detailed below. Staff comments are provided in **bold italics**.

1. There are unique characteristics of the property site design or use that warrant special consideration to modify or deviate from the requirements of this section and that these characteristics are not self-created

The location of Oncor's easement along the frontage of the subject property constricts the applicant's ability to comply with the RDC's tree requirements.

2. The ALP meets or exceeds the minimum requirements of this section while recognizing the unusual site design or use restraints on the property

The ALP meets the minimum requirements for trees as it relates to the total number of trees for the site as a whole. However, due to Oncor easement, it does not meet the requirement for the placement of trees in the front yard.

3. Approval of the ALP will provide for both increased consistency and compatibility with adjacent projects located in the general vicinity of the property

The requested ALP is the result of a change in Oncor's policy to no longer allow any tree plantings with a mature height of five feet or more within their easements for their high-voltage transmission lines.

4. The ALP conforms to the requirements of this section and no modifications are requested except those explicitly provided in Section 77-504.1.2(b)

The standards proposed for modification with this plan are the tree buffer standards. Section 77-504.1.2.(b) specifically allows for modifications to landscape buffer requirements for trees.

In summary, the proposed ALP is justified given Oncor's refusal to allow trees within their easement. The proposed ALP meets all other landscaping and buffering requirements.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends approval of the request.

ATTACHMENTS

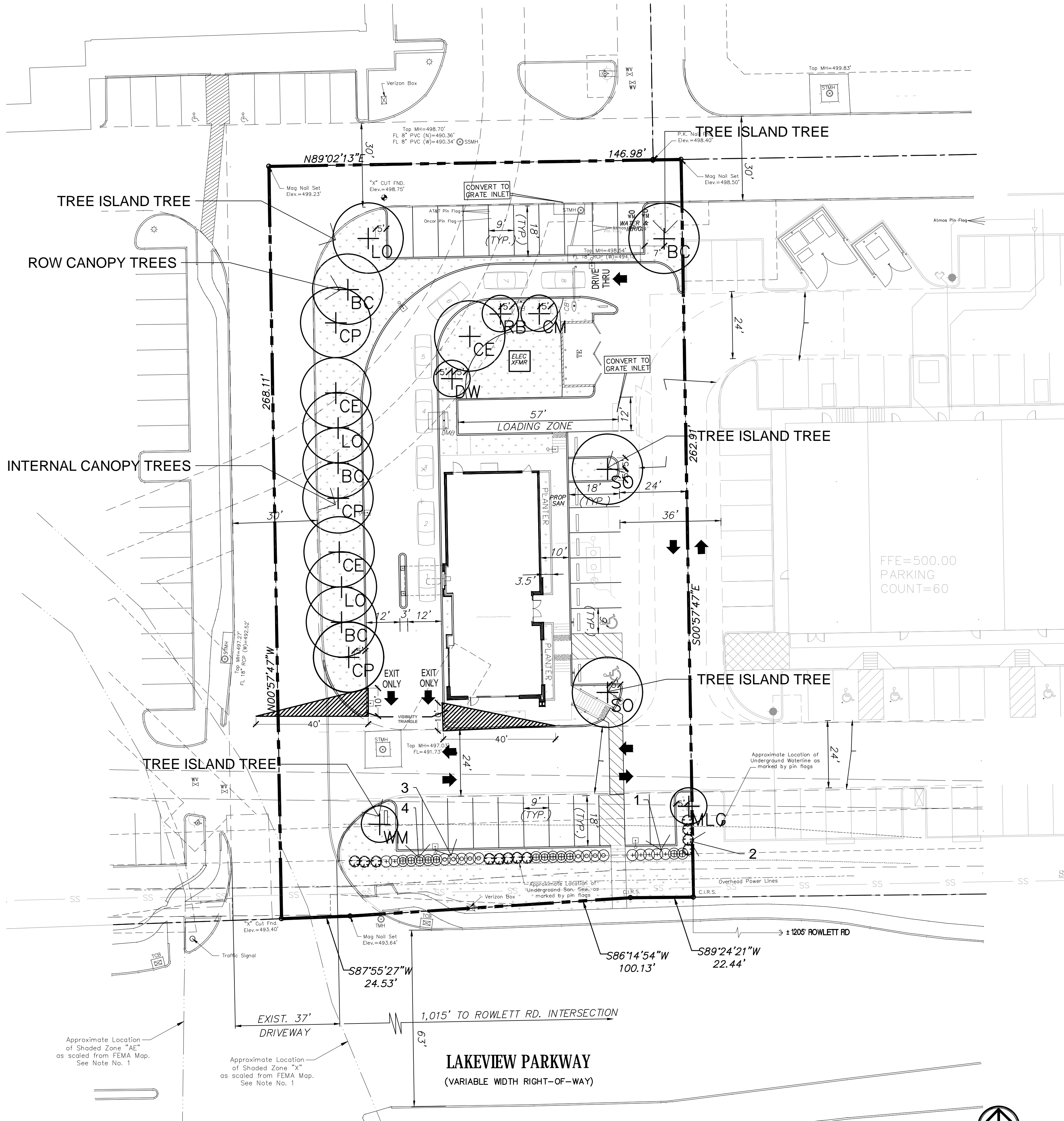
Attachment 1 – Location Map

Attachment 2 – Alternative Landscape Plan



NOTE

- ALL TREES TO BE NO CLOSER THAN 5' TO BACK OF CURB.
- NO SHRUBS WITHIN 18" OF PARKING LOT CURBS.



1 LANDSCAPE PLAN
SCALE: 1" = 20'

PLANT LIST **							
CANOPY TREES							
SYMBOL	QTY	COMMON NAME	BOTANICAL NAME	CALIPER*	MIN HEIGHT	MIN CONTAINER SIZE	COMMENTS
CE	3	CEDAR ELM	ULMUS CRASSIFOLIA	3"	12'	30 GAL	SPECIMEN, MATCHING HEIGHT & FORM
CP	3	CHINESE PISTACHIO	PISTACHIA CHINENSIS	3"	12'	30 GAL	SPECIMEN, MATCHING HEIGHT & FORM
LO	3	LIVE OAK	QUERCUS VIRGINIANA	3"	12'	30 GAL	SPECIMEN, MATCHING HEIGHT & FORM
BC	4	BALD CYPRESS	TAXODIUM DISTICHUM	3"	12'	30 GAL	SPECIMEN, MATCHING HEIGHT & FORM
SO	2	SHUMMARD OAK	QUERCUS SHUMARDII	3"	12'	30 GAL	SPECIMEN, MATCHING HEIGHT & FORM
ORNAMENTAL TREES***							
CM	1	CRAPE MYRTLE "NATCHEZ"	LAGERSTROEMIA INDICA VAR. "NATCHEZ"	1.5"	8	30 GAL	MULTI-TRUNK, 3 TO 5 CANES
DW	1	DESERT WILLOW "BUBBA"	CHILOPSIS LINEARIS VAR "BUBBA"	1.5"	8	30 GAL	MULTI-TRUNK, 3 TO 5 CANES
MLG	2	MAGNOLIA "LITTLE GEM"	MAGNOLIA GRANDIFLORA "LITTLE GEM"	3"	8	30 GAL	SINGLE STRAIGHT TRUNK
RB	1	TEXAS RED BUD	CERCIS CANADENSIS TEXANSIS	1.5"	8	30 GAL	MULTI-TRUNK, 3 TO 5 CANES
WM	1	WAX MYRTLE	MYRICA CERIFERA	1.5"	8	30 GAL	MULTI-TRUNK, 3 TO 5 CANES
SHRUBS							
1	12	INDIA HAWTHORNE VAR "OLIVIA"	RAPHIOLEPIS INDICA VAR "OLIVIA"	-	24"	3 GAL	MAX SPACING 36" ON CENTER
2	14	DWARF BURNING BUSH	EUONYMUS ALATA "COMPACTA"	-	24"	3 GAL	MAX SPACING 36" ON CENTER
3	10	DWARF WAX MYRTLE	MYRICA PUSILLA	-	24"	3 GAL	MAX SPACING 36" ON CENTER
4	12	TEXAS SAGE	LEUCOPHYLLUM SP.	-	24"	3 GAL	MAX SPACING 36" ON CENTER
* MEASURED 12" ABOVE ROOT FLARE				** ALL PLANTS MUST MEET CITY OF ROWLETT MINIMUM STANDARDS AS DESCRIBED ABOVE.			
*** ALL ORNAMENTAL TREES EXCEPT "LITTLE GEM" MAGNOLIA TO HAVE MINIMUM BRANCHING HEIGHT OF 5 FT. ABOVE FINISH GRADE.							

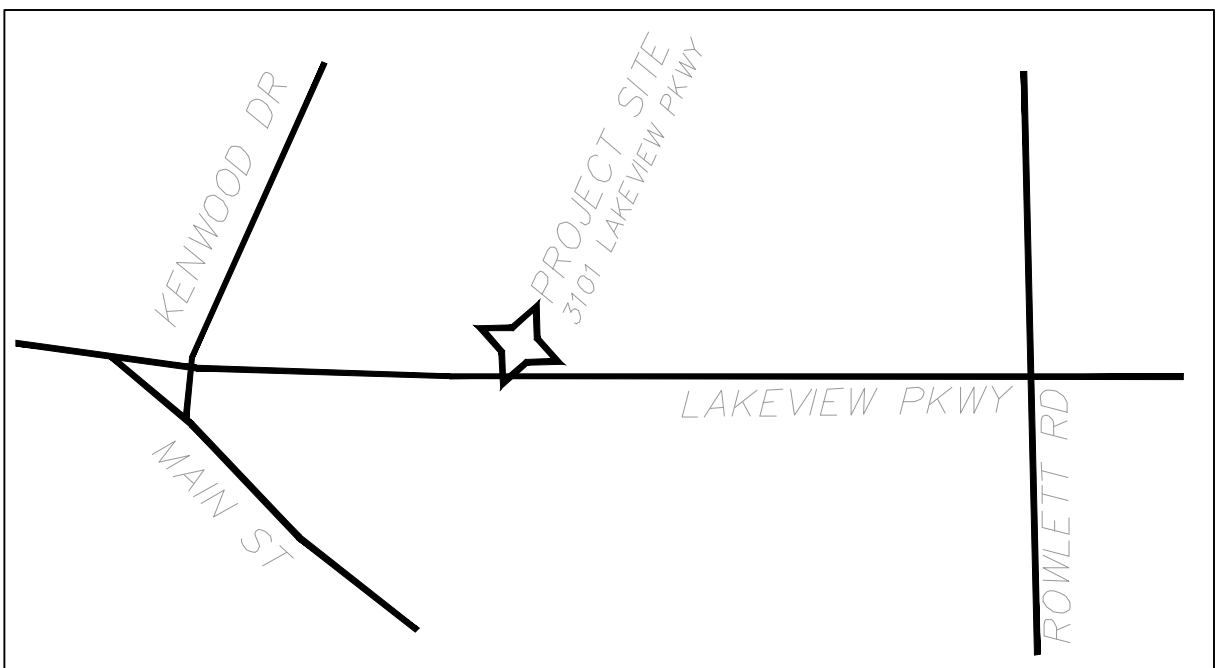
- NOTES:
- THE SIDE WILL BE IRRIGATED WITH A BELOW GROUND AUTOMATIC IRRIGATION SYSTEM WITH A FREEZE SENSOR, THAT IS CAPABLE OF PROVIDING THE PROPER AMOUNT OF WATER FOR THE PARTICULAR TYPE OF PLAN MATERIAL USED.
 - THE PROPERTY OWNER IS RESPONSIBLE OR REGULAR WEEDING, MOWING, IRRIGATION, FERTILIZING, PRUNING AND OTHER MAINTENANCE OF ALL PLANTINGS. THE REQUIRED LANDSCAPING MUST BE MAINTAINED HEALTHY, GROWING CONDITIONS AT ALL TIMES.
 - ALL LANDSCAPING WITHIN THE VISIBILITY TRIANGLES SHALL COMPLY WITH THE VISIBILITY TRIANGLE REQUIREMENTS.
 - ALL OUTSIDE STORAGE AREAS ARE SCREENED FROM PUBLIC STREET ROW AND ADJOINING PROPERTY BY MINIMUM 8 FT HIGH SCREENING DEVICE.

PLANTING CALCULATIONS						
TREES	RATIO	LF	QTY REQUIRED	QTY PROVIDED	COMMENTS	
ROW BUFFER	1 TREE/35 LF	126 / 35 = 3.6	4	5	ROW BUFFER IS COVERED BY EASEMENT PROVIDED AT ISLAND ON WEST SIDE OF BUILDING. ALP REQUESTED DUE TO SITE RESTRICTIONS.	
COMPATIBILITY BUFFER-EAST	1 TREE/50 LF	268.11	0	6	PROVIDED AT ISLAND ON WEST SIDE OF BLDG. COMPATIBILITY BUFFER NOT REQUIRED.	
COMPATIBILITY BUFFER-WEST	1 TREE/50 LF	262.91	0	6	PROVIDED AT ISLAND ON WEST SIDE OF BLDG. COMPATIBILITY BUFFER NOT REQUIRED.	
TOTAL			4	17		

SHRUBS	RATIO	LF	QTY REQUIRED	QTY PROVIDED	COMMENTS
ROW BUFFER	10 SHRUBS/30 LF	126.00	42	47	EXISTING EASEMENTS ALONG LAKEVIEW PRECLUDE TREE PLANTING, THEREFORE ADDITIONAL PLANT MATERIAL HAS BEEN PROVIDED AT ISLAND ON WEST SIDE OF BLDG.
COMPATIBILITY BUFFER-EAST	1 TREE/50 LF	268.11	0	0	LEASE LINE IS IN CENTER OF SHARED DRIVE. COMPATIBILITY BUFFER NOT REQUIRED.
COMPATIBILITY BUFFER-WEST	1 TREE/50 LF	262.91	0	0	LEASE LINE IS IN CENTER OF SHARED DRIVE. COMPATIBILITY BUFFER NOT REQUIRED.
TOTAL			42	50	

TREE ISLANDS	RATIO	PARKING SPACES	QTY REQUIRED	QTY PROVIDED	COMMENTS
TREE ISLAND	1 ISLANDS/12 PARKING SPACES + END OF ROWS	29	6	6	NO ISLAND FARTHER APART THAN 12 SPACES INCLUDING ONE ON EACH END.

TOTAL PARKING AREA INTERIOR LANDSCAPE REQUIREMENT	ACTUAL INTERNAL AREA	PLANTING AREA REQUIRED	QTY REQUIRED	QTY PROVIDED	COMMENTS
7,000-49,000 SF	27,450 SF	5%	27,450 * .05 = 1,373 SF	5,865 SF	
		1 TREE / 400 SF	1,373 / 400 = 3.4	4	MINIMUM OF 75% TO BE CANOPY TREES. ORNAMENTAL MAY NOT EXCEED 25%.



2 VICINITY MAP
NOT TO SCALE



Contact: Douglas Florence
Briarwood Armstrong LLC
Briarwood Rowlett LLC
2911 Turtle Creek Boulevard, Suite 1240
Dallas, TX 75219
214-522-7739

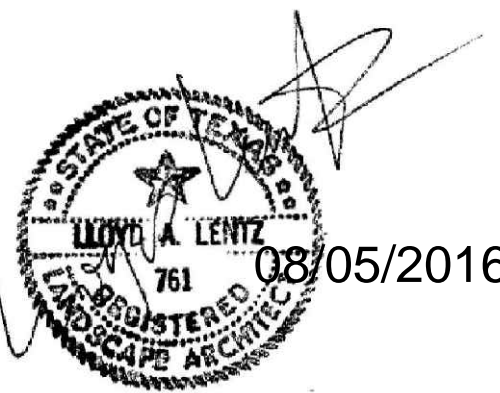
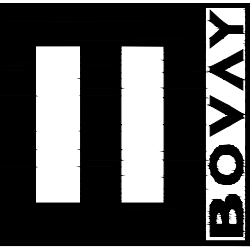
Mario Ipina, P.E.
Bovay Engineers, Inc.
9100 Southwest Freeway, Suite 201
Houston, TX 77074
713-777-8400

Lloyd Lentz, RLA
LMA Design, LLC
702 North Thompson Street, Suite 137
Conroe, TX 77301
713-517-3318

PORTION OF LOT 2, BLOCK A
BRIARWOOD ARMSTRONG ADDITION
ROWLETT, DALLAS COUNTY, TEXAS

Submission Date: 06/21/2016
Revised: 07/15/2016
Revised: 08/05/2016

BOVAY ENGINEERS, INC
9100 Southwest Freeway, Suite 201
Houston, Texas 77074
ph. 713.777.8400
fax. 713.547.5535
www.bovayengineers.com
Texas Registration No. F-2130



LMA Design
702 North Thompson St.
Suite 137
Conroe, Texas 77301
713-517-3318
Llentz@LMA-Design.com
www.LMA-Design.com

Landscape Architecture
Irrigation Design
Low Impact Design
Tree Disposition Analysis

BUILDING TYPE: HDSP 2660
STORE NUMBER: #6160
DRAWN BY: TF
CHECKED BY: VR

EL POLLO LOCO
3101 LAKEVIEW PARKWAY
ROWLETT, TX



LANDSCAPE
PLAN

L1.0